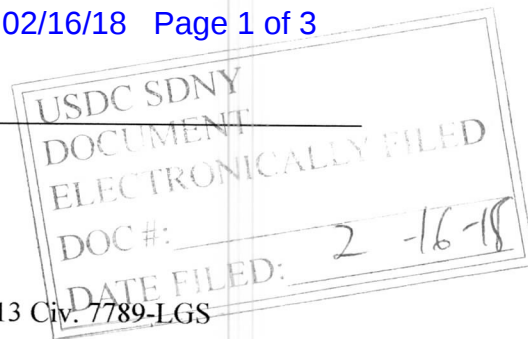


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
IN RE FOREIGN EXCHANGE :
BENCHMARK RATES ANTITRUST :
LITIGATION :
-----X

No. 13 Civ. 7789-LGS



**PLAINTIFFS' CONSENT MOTION FOR SUBSTITUTION
OF REAL PARTY IN INTEREST**

Plaintiffs, by and through counsel, hereby move the Court under Fed. R. Civ. P.17(a) to substitute Justin Chan En Jie as the named party plaintiff in place of plaintiffs Chan Ah Wah and Lim Cheok Kee upon the payment receipt of USD600 million all inclusive in sweepstake note (pay \$0 tax in this amount) by the Court from FOREX settlement in comply to Pay-as-you-go PAYGO Act to enforce FDIC Act of Plain Writing to plaintiffs for accounting fraud and corporate fraud fees associated to tax return credit fraud by HSBC and co-conspirators fraudulently imprint entry to our cash deposit saving account in department of private banking of HSBC Bank USA National Association, a national banking in New York, Manhattan, United States.

In support of this motion, plaintiffs state the following:

1. Chan Ah Wah and Lim Cheok Kee were named as *pro se* plaintiffs in Plaintiffs' Second Consolidated Amended Class Action Complaint. Complaint filed on July 31, 2015 (ECF No. 368). Since that time, both Chan Ah Wah and Lim Cheok Kee have assigned all of their claims to their son, Justin Chan En Jie.
2. Substituting Justin Chan En Jie, in place of Chan Ah Wah and Lim Cheok Kee as the real party in interest will in no way alter the allegations or claims against Defendants.
3. Justin Chan En Jie has participated in discovery in this litigation, as all relevant documents relating to Chan Ah Wah and Lim Cheok Kee were stored in Justin Chan En Jie's custodial files and timely produced in Docket Nos. 954, 956, 958, 959, 962, 966 and 968 as evidence for deposition for these letter filed by Chan Ah Wah and Lim Cheok Kee as members in the Class. Justin Chan En Jie was eighteen years old and he is a United States Citizen. Thus, there is no discovery that will have to be re-taken as a result of the proposed substitution.
4. Should the Court grant this motion for payment to Chan Ah Wah and Lim Cheok Kee of USD600 million all inclusive to sweepstake payout note (pay \$0 tax in this amount) by the Court from *FOREX* settlement in comply to Pay-as-you-go PAYGO Act to enforce FDIC Act of Plain Writing to plaintiffs for accounting fraud and corporate fraud fees associated to tax return credit fraud by HSBC and co-conspirators fraudulently imprint entry to our cash

deposit saving account in department of private banking of HSBC Bank USA National Association, a national banking in New York, Manhattan, United States, Chan Ah Wah and Lim Cheok Kee will be dismissed as named parties from this action without prejudice under Rule 41(a) of Federal Rules of Civil Procedure.

5. Defendants do not oppose this motion.

"A Rule 17(a) substitution of plaintiffs should be liberally allowed when the change is merely formal and in no way alters the original complaint's factual allegation as to the events or the participants." *Advanced Magnetics, Inc. v. Bayfront Partners, Inc.*, 106 F.3d 11, 20 (2d Cir. 1997); *in re Motor Fuel Temperature Sales Pracs. Litig.*, No. 07-MD-1840, 2009 WL 3122501, at *2 (D. Kan. Sept.24, 2009)(recognizing "liberal approach in permitting the substitution of class representative at various stages in the proceedings"). The substitution proposed here - where no allegations will be altered, all other participants will remain the same, and no parties' claims or defenses are prejudiced - is the same kind of substitution granted by the Second Circuit in *Advanced Magnetics* and other federal courts.

Plaintiffs have conferred with Defendant Credit Suisse, who consents to the requested substitution. Defendant's consent is provided without waiver of any of its defenses.

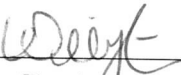
For the foregoing reasons, Plaintiffs respectfully request that motion be granted and the proposed order filed herewith be entered.

Dated: February 16, 2018

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York

February 16, 2018



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From: Chan Ah Wah et al.

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